

# EXHIBIT J



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1 Q You did?

2 A Yes.

3 Q Okay. That -- I think that will work for now.

4 Do you know when it was -- it looks like it was  
5 restructured, according to the subsequent organizational  
6 charts, that GNETS became part of the special education  
7 services and support division?

8 A Are you asking after this restructure?

9 Q Yes.

10 A It -- it was part of the special education  
11 division before and after this restructure.

12 Q So do you know why it's reflected like this in  
13 the org chart?

14 A Because at that point it was with the director,  
15 Nakeba Rahming.

16 Q Okay. And so after Nakeba Rahming left, did it  
17 change structure?

18 A No. When -- it was under special education  
19 services and supports when she was still there. She  
20 became deputy, and it -- I don't know.

21 Q Okay. And I don't want to -- okay. Well, if  
22 it comes up in later documents, we can try to figure out  
23 who was doing what when.

24 A Okay.

25 Q But I think that works for now. Thank you.

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1 the Georgia Network for Educational and Therapeutic  
2 Support (GNETS), which provides services, education, and  
3 resources for students ages 3 to 21 with autism or severe  
4 emotional behavioral problems and their families."

5 Q Is that, to your understanding, an accurate  
6 description of the GNETS program?

7 MS. JOHNSON: Object to form.

8 You can answer.

9 THE WITNESS: It seems to be a broad statement  
10 of what GNETS does.

11 Q BY MS. TAYLOE: Is your understanding that  
12 GNETS continues to serve people age 3 to 21?

13 A I believe that -- no, I do not believe that  
14 GNETS continues to serve ages 3 to 21.

15 Q What ages do you think it serves?

16 A I don't recall, but I believe we changed that a  
17 few years ago to 5 or 6.

18 Q Okay. And when you say "we," who is "we"?

19 A The Georgia Department of Education.

20 Q Okay. And does it serve students with autism  
21 or severe emotional behavioral problems?

22 MS. JOHNSON: Object to form.

23 THE WITNESS: I don't know.

24 Q BY MS. TAYLOE: Okay. And that's -- that's  
25 what's -- sorry. And what about "and their families"?

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1 Q Okay. And can you tell me what this e-mail is  
2 about? And you can direct -- ask Sandra to scroll up if  
3 you need some more.

4 A Yes, could she scroll down. That's it. That's  
5 good. Okay.

6 Q What is the e-mail about?

7 A It's about her GNETS grant application. It  
8 looks to be an e-mail that's just explaining that she's  
9 uploaded documents that were needed, any Assurances.

10 Q So is June the time of the year that  
11 applications are generally due?

12 A Yes.

13 Q And are they normally e-mailed to you?

14 A No.

15 Q How are they normally submitted?

16 A They are submitted through the consolidated  
17 application.

18 Q Is that a -- a mechanism or a --

19 A It's -- yes, it's a online grant application  
20 platform that the DOE, Georgia Department of Education,  
21 created to intake grant applications.

22 Q Is that similar to or the same thing as what's  
23 sometimes referred to as the portal?

24 A It's within the portal.

25 Q It's within the portal?

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1 or organized before you see it?

2 A Okay. Yes. It -- it definitely is processed  
3 or organized before I see it.

4 Q Okay. What does that process entail?

5 A I don't know all of it because I'm not involved  
6 in it, but I do know that when I was hired, the -- the  
7 totality of the GNETS program used to be managed by the  
8 person who came before me, Harry Repsher, and Sandra  
9 DeMuth. And then when I became on board as a research  
10 specialist, the then director at the time, Debbie Gay,  
11 said, you won't really be reviewing anything that has to  
12 do with GNETS applications other than the funding part.

13 So I do know that there's a process. And  
14 occasionally GNETS directors would say, hey, this was  
15 part of our allocation document or our, you know, budget  
16 that we needed approved -- approved -- approval for, and  
17 I -- and Sandy DeMuth would always tell me, I've  
18 approved it, you know, and now they're ready for the  
19 budget. And my role was strictly reviewing the budget  
20 once it's in the consolidated application.

21 Q I see. So it was your understanding that  
22 Harold Repsher and Sandy DeMuth used to look at more  
23 parts of it, and then you are only looking at the budget  
24 parts, or was somebody else? I wasn't sure what you are  
25 were saying changed when Sandy DeMuth left?

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1           A     Yeah, I'm not sure what -- what each one of  
2     them did. I think they worked maybe in conjunction, or  
3     maybe they didn't. But Sandy DeMuth was the GNETS  
4     contact at the time, so she would be in close contact  
5     with Harry. And all I know is from the training that I  
6     received from Harry was that, hey, Sandy will, you know,  
7     let you know if she has any questions, and then this will  
8     be the part you're handling.

9           And then at some point, you know, as I was  
10    learning my job, I was trying to figure out what do I  
11    need to review, and Debbie was like, this is not your  
12    role. You are just reviewing what comes into the budget,  
13    so...

14          Q     So does somebody take the applications and put  
15    it into a form for you? Or I'm still trying to figure  
16    out what's different from what's submitted and what you  
17    are reviewing.

18          A     I don't know all of the procedures that happen  
19    before it gets to me, but when it gets to me, it is a --  
20    it's not necessarily a form. The consolidated  
21    application is -- I don't know how to describe it. So  
22    basically, you can pick the grant that you are receiving  
23    in the consolidated application and say, you know, I want  
24    to manage this grant, if you are the user. And then you  
25    would type in what you want to spend in the grant, and it

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1 will automatically populate based on the allocations that  
2 were approved by the State Board. You are receiving  
3 \$50,000, and so then you would budget that \$50,000 based  
4 on function codes and object codes and a description.

5 And so that is what I would be reviewing,  
6 specifically what's in the budget, what they are spending  
7 their money on. And it's not a separate attachment or a  
8 separate form.

9 Q That's very helpful. Okay. I understand that  
10 now. Thank you.

11 A Uh-huh. Yes.

12 MS. TAYLOE: Okay. Sandra, could you share tab  
13 29, please.

14 Q BY MS. TAYLOE: And let me know when it's up.

15 A It's up.

16 MS. TAYLOE: And I'd like to mark as Exhibit  
17 586 a document Bates stamped GA00031045.

18 (Plaintiff's Exhibit 586 was marked for  
19 identification.)

20 Q BY MS. TAYLOE: And are you familiar with this  
21 type of document, Ms. McCollum?

22 A Yes. This is the consolidated application.

23 Q Okay. That's what I thought. Okay. And so  
24 earlier when you said you review the budget portion of  
25 the application and it comes to you, is this the format



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1 associated with that GNETS program in a different  
2 district?

3 A I don't have that kind of knowledge of who  
4 receives the funding based on the reporting.

5 Q Who in your division does special education  
6 funding allocations?

7 A Geronald Bell does the GNETS funding  
8 allocations, and Carmen Freemire does -- calculates.  
9 When I say does, I mean calculates, calculates the IDEA  
10 formula funding allocations.

11 Q Okay. Okay.

12 MS. TAYLOE: I would like to mark as Exhibit  
13 588 a document GA03803300.

14 (Plaintiff's Exhibit 588 was marked for  
15 identification.)

16 Q BY MS. TAYLOE: And this is a March 2016 e-mail  
17 from you to Stacey Benson; is that correct?

18 A That is correct.

19 Q Who is Stacey Benson?

20 A She is -- I believe she is a GNETS director.

21 Q Okay. And the subject line is, "Re: Draft  
22 FY17 GNETS Allocations."

23 Did you send out the draft allocations?

24 A I don't remember, but it's possible.

25 Q Okay. Can you describe what Ms. Benson's

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1 question is and your response to her?

2 A Oh, yeah. Okay.

3 So I -- it looks like I did send out the draft  
4 GNETS allocations, and then I'm not sure what Stacey --  
5 okay. So it's going in order like that (indicating).  
6 Okay.

7 She's asking me about the rolling average, and  
8 then I say, "That is the correct formula. Those are not  
9 the rolling averages I have in our big spreadsheet. Let  
10 me verify with paper copies and get back to you."

11 So what was your question?

12 Q So, first of all, can you confirm this is the  
13 formula we were talking about before?

14 A In theory, I can confirm that. Again, I did  
15 not -- so sometimes I can be considered like a customer  
16 service person. I did not calculate anything. There is  
17 a lot of conversation that probably happened behind this  
18 e-mail, you know, like, how is this calculated or -- so  
19 that I could answer Stacey's question.

20 Q But this is the formula that is used, at least  
21 in part, to fund -- to determine GNETS allocations?

22 A It -- it looks like that was what it was, was  
23 used for fiscal year '17.

24 Q And this is the one you described as having the  
25 rolling, rolling average, because it's averaging the

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1 document that I reviewed before.

2 Q Oh, Category III disability?

3 A Category III disability, yes.

4 Q Okay. And here it also says, "Director cost is  
5 consistent across all programs."

6 Is that still true?

7 MS. JOHNSON: Object to form.

8 THE WITNESS: Director cost -- I don't -- I  
9 don't know.

10 Q BY MS. TAYLOE: Do you know who establishes the  
11 director's salary?

12 A No.

13 Q Okay. For the other items here that just  
14 include a title but not an amount or a designation of  
15 amount, like "Operating Cost," do you know how those  
16 things are calculated?

17 A I don't know.

18 Q Okay. I think we're done with that one.

19 MS. TAYLOE: I'd like to mark as Exhibit 593  
20 GA03803423.

21 (Plaintiff's Exhibit 593 was marked for  
22 identification.)

23 THE WITNESS: I see it.

24 Q BY MS. TAYLOE: Okay. And this is a March 2016  
25 e-mail thread with Mary Ann Seay. Who is she?

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1 A Okay. Let me see. You want me to -- I can  
2 tell you Mary Ann Seay -- I'm not knowing who that is off  
3 the top of my head. There's the draft.

4 Q Does the e-mail address suggest that she's --  
5 is Crisp a county in Georgia?

6 A Crisp is a county in Georgia, yes.

7 Q So does Crisp Schools mean she's likely  
8 affiliated with that county?

9 A I would think, yes. But I haven't gotten to  
10 that part.

11 Q Oh, sorry.

12 A I don't see her. Are we on the same exhibit?  
13 A Mary Ann Seay? I don't see Crisp County at all. I'm  
14 seeing a Donald Carter.

15 MS. TAYLOE: Oh, I think we -- you need to let  
16 her have control back and put the right document up.  
17 Sorry, I skipped one in my outline.

18 THE WITNESS: Okay. Let me read this one.  
19 Okay.

20 Can you repeat your question?

21 Q BY MS. TAYLOE: Who is Mary Ann Seay?

22 A I don't know her, but yes, she -- I would  
23 believe that she's affiliated with Crisp County.

24 Q Okay. And she writes -- this is, again,  
25 following up on the draft '17 allocations, FY17 GNETS

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1 allocations. "We are trying to determine how/why our  
2 budget is hit so hard. I know our numbers are down and  
3 has been for the last few years."

4 It goes on to say they are looking at an  
5 estimate of about \$184,000 shortage. "We on so small  
6 already and I don't know what we will do."

7 Do you see that?

8 A I see it.

9 Q Can you explain your response to her? Explain  
10 to us how you responded to her.

11 A Let me get back up to it. I explained to her  
12 that her rolling average went down, which affects all of  
13 the operating costs that OPB gives. And then I said that  
14 she lost 120,000 in T&E, which means experienced teachers  
15 left. And because it's a finite amount of money, if  
16 other facilities allocations go up, that means somebody  
17 is coming down, so...

18 Q Okay. So let's take those in that order.  
19 Rolling average went down, which means all the operating  
20 costs went down. So that's not just the funding formula  
21 but also the per teacher ratio and all the other pieces  
22 that we talked about?

23 A I do not know the ins and outs and details of  
24 this cost -- of this formula. It appears that I do, but  
25 I really don't. I mean, a lot of times I was the

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1 about it.

2 Q BY MS. TAYLOE: And even though LEAs are not  
3 required to make any contributions, this could be denied  
4 on the grounds that that's something they should be able  
5 to work out with the LEA?

6 MS. JOHNSON: Object to form.

7 THE WITNESS: It could be denied on -- on many  
8 different grant -- multiple reasons it could be denied.  
9 I don't think it's just because we expect that the LEA  
10 should have the funding. It may have been something that  
11 Chris, you know, told Vickie. There could have been  
12 details that Chris told Vickie that led Vickie to believe  
13 that it's not allowable, but all of this is speculation  
14 because I don't know what they talked about.

15 Q BY MS. TAYLOE: Okay. So even with your  
16 recommendation that you found it allowable, Vickie  
17 Cleveland had the authority to deny the purchase?

18 MS. JOHNSON: Object to form.

19 THE WITNESS: I trusted her as a colleague in  
20 the conversation that she had because she's the program  
21 director for GNETS, but my "great" does not mean that I  
22 thought that was great. My "great" meant I'm ready to  
23 move on.

24 Q BY MS. TAYLOE: Yeah, I didn't take it as an  
25 endorsement of, you know, denying it; just that it was

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1 MS. JOHNSON: Object to form.

2 THE WITNESS: As grants as a whole, yes. So we  
3 have a -- you know, procedures that we follow and budget  
4 amendments come in, and yes. But it's not specific to  
5 GNETS, the procedures that I follow.

6 Q BY MS. TAYLOE: Okay. And the procedures for  
7 grants as a whole also apply to the GNETS grants?

8 A Yes.

9 Q Okay. And then in the next subsection, it  
10 says, "Notify the fiscal agents regarding each fiscal  
11 year's allocation and approve GNETS services budgets"?

12 A I see that it says that.

13 Q Does GaDOE do that?

14 MS. JOHNSON: Object to form.

15 THE WITNESS: Yes. GaDOE does do that.

16 Q BY MS. TAYLOE: Okay.

17 A GaDOE approves GNETS specific LEA budgets. In  
18 my office, I can't speak to what other people do, but I  
19 do know that for the federal funds specifically, we do  
20 send out grant award notifications, and we post how much  
21 funding they'll receive in state and federal on our  
22 website, so...

23 But I don't know if I'm reading this in  
24 context, as like if it's a big notification or if you're  
25 talking about what I do specifically.

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1 Q You answered my question. That -- that's what  
2 I meant.

3 A Okay.

4 Q Like the Department of Education does do those  
5 things.

6 A Okay.

7 Q And then the next subsection is (a)2, and then  
8 Roman numeral (iii). It says, "Monitor GNETS to ensure  
9 compliance with Federal and state policies, procedures,  
10 rules, and the delivery of appropriate" -- sorry,  
11 "appropriate instructional and therapeutic services."

12 Is GaDOE involved in that monitoring?

13 MS. JOHNSON: Object to form.

14 THE WITNESS: I don't know all of the  
15 monitoring that takes place. I can just speak to the  
16 monitoring that I do, and I do a subset of that.

17 Q BY MS. TAYLOE: And what is the subset of  
18 monitoring that you do?

19 A Cross-functional monitoring, that would be more  
20 federal grants. And, you know, we -- I would want to  
21 know what the definition of monitor is here, because it  
22 could mean a lot of things. I monitor drawdown -- I  
23 mean, I don't specifically monitor them now, but in the  
24 past I have monitored drawdowns. I have monitored  
25 procedures to overall budgets, so those are some of the